

INDIANA LEGISLATURE.

Reported for the State Sentinel.



SENATE.

THURSDAY, Dec. 17, 1846.

Senate met.

A message was received from the House, informing the Senate of the passage of certain bills.

Petitions Presented.

By Mr. Clements, referred without reading.
By Mr. Waters, referred without reading.
By Mr. Murphy, of John B. Semans, and others, Publishers and Editors, that a uniform and general law be passed upon the subject of printing legal advertisements; laid upon the table.

Reports from Standing Committees.

By Mr. Parks, from the committee on Finance, reporting a bill for the relief of the volunteers in Mexico, and of county Treasurers, with an amendment; concurred in.
By Mr. Orth, from the committee on the Judiciary, reporting a bill, amending the existing laws, and recommending the indefinite postponement of the same; concurred in.

By Mr. Orth, from the same committee, reporting a bill for the relief of Ellen Biggar, widow of Samuel Biggar, deceased, and recommending its passage; passed to a second reading.

By Mr. Holloway, from the same committee, reporting a bill amending an act for the incorporation of the city of Richmond, and recommending its passage.

By Mr. Osborn, from the same committee, reporting bill No. 32, with an amendment; the amendment was adopted.

By Mr. Murphy, from the same committee, reporting a bill authorizing the Governor to order special elections for Representatives to Congress, in certain cases.

Resolutions.

By Mr. Hamer, that the committee on the Judiciary inquire into the expediency of courts using their discretion in granting divorces, where abandonment has taken place for one year; adopted.

By Mr. Edmonston, that the committee on Benevolent Institutions inquire into the cause of the discharge of Mrs. A. W. Johnson, Matron, from the Deaf and Dumb Asylum, for the purpose of education.

By Mr. Berry of Monroe, that the committee on Education inquire into the expediency of amending the law relative to compensating the judges, clerks, and inspectors of elections; adopted.

By Mr. Allison, that Mr. H. F. West furnish the result of his investigations relative to the common school system, to the committee on Education; and that they report the same; not adopted.

By Mr. Green, that the committee on Education inquire into the expediency of giving to the several townships in the State, the management of the School Fund; not adopted.

By Mr. Clements, that the Judiciary committee inquire into the expediency of amending the 143d and 145th sections of Chap. 40 of the Rev. Code of 1843; adopted.

Bills Introduced.

By Mr. Reed, relative to the division of income payments; referred to the committee on the Judiciary.

By Mr. Allison, that Mr. H. F. West furnish the result of his investigations relative to the common school system, to the committee on Education; and that they report the same; not adopted.

By Mr. Green, that the committee on Education inquire into the expediency of giving to the several townships in the State, the management of the School Fund; not adopted.

By Mr. Clements, that the Judiciary committee inquire into the expediency of amending the 143d and 145th sections of Chap. 40 of the Rev. Code of 1843; adopted.

Bills Passed, or Referred.

A bill legalizing the transfer of delinquent lands, returned in the year 1844, in Shelby county; passed.

A bill incorporating the Decatur Medical Society; not adopted.

A bill incorporating the Decatur Medical Society; not adopted.

A message was received from the House, informing the Senate of the passage of the bill for the relief of David Quinn, and Joseph Quinn.

Also, of a bill providing for a settlement with the keeper of the State Prison.

Mr. Orth moved to amend the bill for the incorporation of the Decatur Medical Society, by adding to the last section "that no applicant shall be refused by the corporation, because of practicing medicine, or because of a difference of opinion as to the propriety of the same."

Mr. Berry of Franklin, that the amendment be laid upon the table; adopted; and the bill was passed.

A bill providing for a settlement with the Superintendent of the State Prison; referred to the committee on the Judiciary.

Senate adjourned.

AFTERNOON SESSION.

Senate met.

Leave was granted to Mr. Orth to report bill No. 87, providing for a settlement with the Superintendent of the State Prison.

Orders of the day. Bills Passed, or Referred.

A bill to incorporate Anderson's Collegiate Institution.

Mr. Berry of Franklin moved to amend by inserting in the Legislature the right to repeal the charter: the property reverting to the several donors, on the repeal thereof.

He thought the bill prevented taxation of the private property of Mr. Anderson, by this means evading taxation.

Mr. Davis said it was a well known fact, that when a corporation was chartered, and property donated thereto, the donation by the present law was excepted from taxation for the purpose of education.

He moved to lay the amendment on the table. The ayes and noes being called, resulted as follows: ayes 24, noes 22; so it was laid upon the table.

Mr. Marsh moved to strike out the provision, "that no portion of any system of the proceeds of the sale of the lands shall cause a forfeiture of the charter of the Institution."

Mr. Davis moved to lay the amendment on the table; carried; and the bill passed.

A bill authorizing clerks to issue writs to other counties in certain cases; referred to the Judiciary committee.

Mr. Edmonston did not know why the motion was made, unless there was a desire to show hawk.

By Mr. Edmonston, that the committee on the Judiciary inquire into the expediency of amending the law relative to compensating the judges, clerks, and inspectors of elections; adopted.

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he knew, but he presumed the Senate would consent, for reasons of economy. He knew nothing of those persons named in his amendment; but he presumed they wished to be married. The bill, however, was not read, and the bill, could he vote, then, to separate them? He knew nothing of the real estate of the husband, but should he act blindly, without hearing both parties, and drive perhaps an innocent and spotless character upon the cold world?

The Legislature might do justice, it should be careful of following bad precedents, or setting an example for future action. He thought it inexpedient to legislate upon the subject. Why should the Legislature act upon divorces?

Is not the action of the courts of the State sufficiently ample? The courts are open to all; they are open to the high and the low. He would not offer his amendment in seriousness—he only drew it out to show the absurdity of rendering null, civil contracts. If the Senate would consent in granting the passage of such bills, he would recommend the passage of the bill, and he would not be a matter of economy in printing the laws. To print the divorce bills of last winter, it cost some \$200.

Mr. Davis said, as to the question of economy, it was an expense to the people to grant divorces in the courts of the State. As to the constitutionality of legislative divorces, let that be tested by the tribunals. If the gentlemen were desirous of testing it, let an indictment be laid, and his word for it, no conviction would follow under the constitution or laws. As to the expense, that was no question for the Legislature. The Legislature was not to be asked to do what it did not wish to do, but he said the other branch of the Legislature had signified a disposition against divorces. That was no rule of action for the Senate—it should not influence the action of Senators—they had to act according to their opinion of their duty.

The question was then taken, and the ayes and noes being called, resulted as follows: ayes 24, noes 22; so it was laid upon the table.

By Mr. Edmonston, that the committee on the Judiciary inquire into the expediency of courts using their discretion in granting divorces, where abandonment has taken place for one year; adopted.

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to mechanics; then, to authorize the board doing county business for the county of Orange to employ an appraiser; to locate certain streets in the county of Orange; in Orange county; were respectively read a third time and passed.

A large number of bills were then taken upon their second reading, and passed to the third.

Bills Passed.

To legalize the adjustment of the Decatur circuit court at Jackson, in Greene county.

To change the time of holding the August term of the probate court in Greene county.

Reports from Select Committees.

Mr. Noel reported back the joint resolution for the purpose of increasing the pay of the United States Marshal in the United States in Mexico, and also to grant them a bounty of 100 acres of land.

Mr. Edmonston reported back the bill fixing the salary of the auditor of Miami county; passed to a third reading.

Mr. Edmonston reported a bill to change the name of Ellen Edmonston to that of Ellen Edmonston; passed to a third reading.

Also, reported a bill to locate a State road in the counties of Grant and Richland; passed to a third reading.

Mr. Parks reported back the bill for the purpose of compensating for communicating intelligence to the Governor and Auditor in relation to the "Fraud Law."

By Mr. Parks, a bill to change the name of Richardson to that of Howard; read three several times and passed.

The House adjourned.

SENATE.

THURSDAY, Dec. 18, 1846.

The Senate met.

By Mr. Edmonston, from the House of the passage of certain bills therein named.

The President of the Senate laid before the Senate a communication from the State Printer; laid upon the table, and 200 copies ordered to be printed.

Petitions Presented.

By Mr. Edmonston, of Mr. Wm. D. Keiser; referred to a select committee.

By Mr. Bowers, of certain citizens of Ripley county; referred to a select committee.

Reports from Standing Committees.

By Mr. Orth, making the following report from the committee on the Judiciary: Mr. Orth, from the committee on the Judiciary, reported a bill for the purpose of amending the law relative to compensating the judges, clerks, and inspectors of elections; adopted.

By Mr. Edmonston, that the committee on the Judiciary inquire into the expediency of courts using their discretion in granting divorces, where abandonment has taken place for one year; adopted.

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